

Notice of Allowability

Application No.

10/642,295

Examiner

Ghassem Alie

Applicant(s)

CHEN ET AL.

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3724

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 08/05/04.
2. ☒ The allowed claim(s) is/are 1 and 3-6.
3. ☒ The drawings filed on 08/18/03 (Fig. 1-7) & 08/05/04 (Fig. 8-9) are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

Reasons for Allowance

1. The following is an examiner's statement of reasons for allowance: The claims are allowable because the prior art fails to teach two lugs extend from the base member with the first opening located therebetween and a tube extending from one of two lugs which are extending from the base member, a slit defined in the tube, and the first torsion spring mounted to the tube as set forth in claim 1.

Regarding claim 1, Dassoulas et al. (6,009,627), hereinafter Dassoulas teaches a blade clamping device including a driving shaft having an extension extending from a distal end. The drive shaft extends from the front face of the housing portion.

Dassoulas also teaches a base member including a passage defined therethrough and the driving shaft is securely received in the passage. Dassoulas also teaches that the blade is connected to the driving shaft and a first opening defined through a side of the base member and communicating with the passage. Dassoulas also teaches a cam member pivotally connected to the base member and a first end of the cam member being a cam head which is inserted in the first opening and removably contacting the blade. Dassoulas also teaches a first torsion spring which is connected to the base member to maintain the cam head to contact the blade. Dassoulas also teaches a casing including a second opening defined in a side thereof and a lever pivotably engaged with the second opening. Dassoulas also teaches that the lever includes a handle and a pushing end. Dassoulas also teaches that the pushing end of the lever located beneath of the bar of the cam member and the cam head is pivoted away from the blade by the pushing end of the lever. However, Dassoulas fails to teach two lugs

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extend from the base member with the first opening located therebetween and a tube extending from one of two lugs which are extending from the base member, a slit defined in the tube, and the first torsion spring mounted to the tube as set forth in claim 1.

The reference above by itself or in combination with the other prior art cited teach the claimed invention set forth in claim 1

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

2. The amendments to the specification and the proposed drawings (Figs. 8 and 9) overcome the drawings objections. The purposed drawings (Figs. 8 and 9) are accepted.

Claim 2 has been canceled.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ghassem Alie whose telephone number is (703) 305-4981. The examiner can normally be reached on Mon-Fri 8:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Allan Shoap can be reached on (703) 305-1082. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306 for regular communications and (703) 872-9302 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1148.

GA/ga

September 17, 2004

A handwritten signature in black ink, appearing to read "Allan", followed by a long, sweeping diagonal stroke.

Allan N. Shoap
Supervisory Patent Examiner
Group 3700